



Administrative Policies and Procedures: 12.14

Subject:	Public Notification of Release of Juvenile Offender
Authority:	TCA 37-5-105, 37-5-106, 37-5-123
Standards:	DCS Practice Model Standard: 5-400
Application:	To All Department of Children's Services Employees and Contractors

Policy Statement:

The Department of Children's Services (or its contractors) shall notify members of the public who have requested to be notified upon the release to home placement of juveniles adjudicated to have committed a delinquent act that would constitute a felony if committed by an adult.

Purpose:

To establish procedures to ensure that citizens that wish to be notified of the release of juveniles who have committed a delinquent act that would constitute a felony if committed by an adult are notified.

Procedures:

A. Request for Notification Procedures

1. All Requests for Public Notification of Release of Juvenile Offender shall be directed to the Department of Children's Services, Victim's Rights Liaison or designee.
2. Upon review of the request, form **CS-0587, Request for Public Notification of Release of Juvenile Offender** shall be forwarded to the requestor by the Victim's Rights Liaison or designee.
3. When form **CS-0587 Request for Public Notification of Release of Juvenile Offender** form has been completed and returned to the Department, the Victim's Rights Liaison shall contact the youth's facility case manager to confirm that a release staffing has been convened and that a projected release date has been determined or pending.
4. The Victim's Rights Liaison shall maintain a file and track proposed release dates on all juveniles for which form **CS-0587, Request for Public Notification of Release of Juvenile Offender** has been received.

	<p>5. In conjunction with DCS Policy <u>12.1 Return to Home Placement: Aftercare Supervision for Youth Adjudicated Delinquent</u>, for all delinquent youth for which form CS-0587, Request For Public Notification of Release of Juvenile Offender has been received, the facility case manager must forward form CS-0130, Release to Home Placement and a treatment summary documenting the youth's progress in all Individual Program Plan (IPP) areas to the youth's Family Service Worker and the Victim's Rights Liaison at least thirty (30) days prior to the youth's projected return home.</p> <p>6. The Victim's Rights Liaison shall then verify if form CS-0587, Request for Public Notification of Release of Juvenile Offender has been received for the delinquent youth who will be released.</p>
B. Responsibilities of the Release Notification Committee	<p>1. If a request for public notification form is on file, the Victim's Rights Liaison shall convene the <i>Release Notification Committee</i> that will include, but not be limited to:</p> <ul style="list-style-type: none"> a) Victim's Rights Liaison, b) Director of Treatment Services, c) Director of Community Residential Programs, d) Director of Community Services, and e) DCS Legal Counsel <p>2. A determination of the disposition of the request for notification will be made and a determination completed twenty (20) days prior to the proposed release date.</p> <p>3. The <i>Release Notification Committee</i> shall be responsible for determining whether to approve or deny a notification request on a case-by-case basis.</p>
C. Criteria for Denial of a Request for Notification	<p>The <i>Release Notification Committee</i> shall approve the Request for Notification unless:</p> <ul style="list-style-type: none"> 1. The classification of the delinquent act would not be a felony if committed by an adult, or 2. The Committee determines on a case-by-case basis that the denial of the request would be in the best interests of the juvenile and that notification may result in harm to the juvenile. In determining the risk of harm to the juvenile, the Release Notification Committee may consider the following: <ul style="list-style-type: none"> a) The characterization of the requesting party as victim or as member of the public. b) Threats to the child or child's family.

D. Notification of Committee's Decision	<ol style="list-style-type: none">1. After consideration has been given the request for notification by the committee, the Victim's Rights Liaison shall send written notice to the requestor of the determination made by the committee with regards to the denial or approval of the notification request.2. If the committee approves the request, the notification of the release shall contain only the date of the release to home placement.3. The notification must not contain the address or the telephone number of the juvenile's home placement.
E. Data Systems Documentation:	Events not documented elsewhere in TNKids or requiring fuller explanation are documented into case recordings which shall be completed within thirty (30) days of date of occurrence.

Forms:	<u>CS-0587, Request For Public Notification of Release of Juvenile Offender</u> <u>CS-0130, Release to Home Placement</u>
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Collateral Documents	<i>None</i>
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